

**Exhibit 19 to Statement of Undisputed Facts Filed in Support of Motion of American  
Beryllia, Inc. For Summary Judgment**

**BARRY GENEREUX DEPOSITION EXCERPTS**

Page 1

1 Volume: I Pages: 1-91 Exhibits: --

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3 UNITED STATES DISTRICT COURT

4 FOR THE DISTRICT OF MASSACHUSETTS

5 Civil Action No. 04-CV-12137 JLT

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7 SUZANNE GENEREUX and BARRY GENEREUX, Individually  
8 and as Parents and Natural Guardians of their minor  
9 children, ANGELA GENEREUX AND KRISTA GENEREUX,

10 Plaintiffs,

11 v.

12 AMERICAN BERYLLIA CORP., BRUSH WELLMAN, INC., BRUSH  
13 WELLMAN CERAMICS, INC., BRUSH WELLMAN CERAMIC  
14 PRODUCTS, INC., HARDRIC LABORATORIES, INC., KYOCERA  
15 AMERICA, INC., KYOCERA INDUSTRIAL CERAMICS CORP.,  
16 and RAYTHEON COMPANY,

17 Defendants.

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19 VIDEOTAPED DEPOSITION OF BARRY GENEREUX

20 Thursday, February 16, 2006, 9:07 a.m.

21 MEEHAN, BOYLE, BLACK & FITZGERALD

22 Two Center Plaza, Suite 600

23 Boston, Massachusetts

24 Reporter: Marianne R. Wharram, CSR/RPR

<p style="text-align: right;">Page 22</p> <p>1 that time.</p> <p>2 Q. Okay. Well, was there anyone working at 3 the Waltham plant when you were there who was an 4 industrial hygienist?</p> <p>5 A. I do not know.</p> <p>6 Q. Did you ever see any warning labels on any 7 of the assemblies that were being circulated in the 8 Waltham plant, or subassemblies?</p> <p>9 A. No, not that I can recall.</p> <p>10 Q. Any tags that said anything about 11 beryllium?</p> <p>12 A. Not that I can recall.</p> <p>13 Q. Did you ever see any signs or any posters 14 that warned about beryllium?</p> <p>15 A. Not that I can recall.</p> <p>16 Q. When is the first time that you learned 17 that there is any risk to human health from working 18 with beryllium?</p> <p>19 A. When my wife discovered it.</p> <p>20 Q. When was that?</p> <p>21 A. Just before she went to National Jewish.</p> <p>22 Q. You said just before she went. She went in 23 1992, right?</p> <p>24 A. Right. No.</p>	<p style="text-align: right;">Page 24</p> <p>1 A. That was basically it.</p> <p>2 Q. Had you ever heard of an LPT test before?</p> <p>3 A. No.</p> <p>4 Q. Had your wife ever heard of such a test 5 before?</p> <p>6 A. I don't think so, no.</p> <p>7 Q. What was your reaction to hearing about 8 this?</p> <p>9 A. Surprised. I -- just surprised, meaning 10 that I never heard of it before.</p> <p>11 Q. What did you understand was the purpose of 12 this LPT test at that time?</p> <p>13 A. At that time, it was to determine if she 14 was exposed to it or not, from what I understood.</p> <p>15 Q. Okay. Did you know or had you learned at 16 that time that there is a disease, a lung disease 17 that can be caused by beryllium?</p> <p>18 A. At that point, I don't know if we were a 19 hundred percent with that, but there was the 20 possibility of it. It wasn't that we knew for 21 certain. It was like that the possibility existed 22 that there could be a lung problem.</p> <p>23 Q. Okay. So at the time that your wife told 24 you about this telephone conversation with Senator</p>
<p style="text-align: right;">Page 23</p> <p>1 MR. HONIK: Object to the form of the 2 question.</p> <p>3 Q. (BY MR. UBERSAX) Well -- let's go through 4 the -- do you remember that she wrote a letter to 5 Senator Reed, or his office?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. Did you help her draft that letter?</p> <p>8 A. No.</p> <p>9 Q. Did you read the letter before it was sent?</p> <p>10 A. I don't recall every detail of it. I just 11 remembered that she wrote one pertaining to her, 12 uh, LTD.</p> <p>13 Q. Do you remember when she sent that letter?</p> <p>14 A. The year, I don't know off the top of my 15 head. Can't remember.</p> <p>16 Q. Do you remember that she had a telephone 17 conversation with someone at Senator Reed's office?</p> <p>18 A. She had mentioned it to me.</p> <p>19 Q. She mentioned it to you when it happened?</p> <p>20 A. When I came home from work.</p> <p>21 Q. What did she tell you about it?</p> <p>22 A. That they suggested that she have an LPT 23 test for beryllium.</p> <p>24 Q. Anything else?</p>	<p style="text-align: right;">Page 25</p> <p>1 Reed's office, you then understood that it was 2 possible that a person who had been exposed to 3 beryllium could develop a lung disease, correct?</p> <p>4 MR. HONIK: Object to the form of the 5 question.</p> <p>6 A. I would guess, yes.</p> <p>7 Q. (BY MR. UBERSAX) And why do you say you 8 would guess?</p> <p>9 A. Well, I would -- yeah, that would be the 10 assumption that you would make at the time.</p> <p>11 Q. Okay. Do you recall when that phone call 12 was?</p> <p>13 A. Again, date-wise, I can't remember.</p> <p>14 Q. Do you recall that after that conversation 15 with Senator Reed's office, your wife then had 16 another conversation with the Department of Labor?</p> <p>17 A. Yes.</p> <p>18 Q. She told you about that conversation?</p> <p>19 A. Yes.</p> <p>20 Q. What did she tell you about it?</p> <p>21 A. Uh, that they -- they're the ones, I 22 believe, that told her to go to National Jewish to 23 have the LPT test and where to go.</p> <p>24 Q. Did she tell you anything else about the</p>

Barry Genereux

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C E R T I F I C A T E

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I, BARRY GENEREUX, do hereby certify that I  
have read the foregoing transcript of my testimony,  
and further certify under the pains and penalties  
of perjury that said transcript is a true and  
accurate record of said testimony, with the  
exception of the following corrections listed  
below:

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Page	Line	Correction
10	_____	_____
11	_____	_____
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22	_____	<u>Barry Genereux</u>
23		BARRY GENEREUX
24	Dated this <u>23</u> day of <u>MARCH</u> , 2006.	

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